REMARKS

Claims 1-18 are pending in the above-identified application, and were rejected. With this Amendment, no claims were amended, and claims 80-83 were added. Accordingly, claims 1-18 and 80-83 are at issue.

I.   35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ginter (U.S. Patent No. 5,892,900). Applicant respectfully traverses this rejection.

Claim 1 is directed to a content secondary distribution management system comprising a plurality of user devices, for managing secondary distribution in which a transaction of content usable by a user device is performed between the plurality of user devices. In claim 1, a first settlement log is issued from a first of the plurality of user devices to one of a service provider and a clearing center every time the content is distributed by the first user device. A second settlement log is issued from a second of the plurality of user devices to the one of a service provider and a clearing center every time the content is distributed by the second user device. Settlement processing for the content is performed based on the first settlement log and the second settlement log under the management of the one of a service provider and a clearing center.

Ginter is directed to systems and methods for secure transaction management and electronic rights protection. In Ginter, information packages are protected, and an end-user must have permission to open a package an make use of its content. (See col. 279, lines 7-8 and lines 21-22.) Thus, in Ginter, the information packages may be freely distributed because only authorized individuals may use such packages. (See col. 279, lines 7-13.) Ginter meters the activities of the end-users, rather than the distribution of the packages. (See col. 279, lines 54-

57.) Thus, Ginter does not disclose or suggest issuing settlement logs from user devices to one of a service provider and a clearing center every time the content is distributed by the user device, as required by claim 1.

Moreover, newly added claim 80, which depends from claim 1, specifies that the second settlement log is issued from the second user device via the first user device. No new matter has been added with this claim as this feature is disclosed in Fig. 19, steps S1907 and S1913 and Fig. 22. Ginter does not disclose or suggest issuing a second settlement log from the second user device via the first user device, as required by claim 80.

For all of the reasons set forth above, claim 1, and claims 2-8 and 80 that depend from claim 1, are allowable over Ginter. For reasons similar to those discussed regarding claim 1, Applicant respectfully submits that claims 9-18 and newly added claims 81-83 are also allowable over Ginter. Accordingly, Applicant respectfully requests withdrawal of this rejection.

II.   Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: December 19, 2006

By: _____
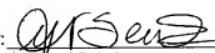
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